



Capitol Report

News & Updates from Your State Capitol
By Arkansas Secretary of State Charlie Daniels

www.sos.arkansas.gov

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Congress Enables HAVA Progress With Funding, Appointments

Arkansas is set to receive almost \$15 million in grants to help implement the sweeping election reforms mandated by the Help America Vote Act (HAVA) over the next two years. In late January, Congress approved \$1.5 billion in grants—full funding under the authorized level—alleviating a shortfall in state allotments in 2003. Without that financial support, the state and county governments would have been forced to bear the cost of election reform.

In another major development, the U.S. Senate confirmed the final appointments for the federal Election Assistance Commission (EAC), which will help states forge ahead in their election reform efforts. The commission is charged with evaluating and approving state implementation plans, allocating grant dollars and establishing voting system standards.

“States have been waiting for guidance from the EAC on how to proceed with HAVA implementation,” said Arkansas Secretary of State Charlie Daniels. “I think once the EAC

is fully operational, we will have a much clearer picture of how to proceed.”

That guidance began with a meeting between EAC commissioners and state officials during the winter conference of the National Association of Secretaries of State (NASS) held February 12-17 in Washington, D.C. The EAC told NASS members that they expect to publish state plans and release related funding no later than June 1.

Commissioners also expressed their commitment to offering solid support to states and counties.

“Sure we have some things to fix. But the first thing we ought to fix is the impression that voting in America is in technological free fall and that the end is near,” said EAC Chairman Dr. Forrest Soaries. “...These assertions are insults to your quality service and your fine leadership. The EAC is committed to helping you tell your story.”

(See HAVA Cont. on Page 2)

Grant Helps Fund Capitol Restoration Projects

Several areas of the Arkansas State Capitol and grounds are being restored under a \$770,000 grant from the Arkansas Natural and Cultural Resources Commission. The projects will be a major step toward returning the Capitol to the original vision of its architects.

The work falls under one of the Secretary of State’s major responsibilities,

which is the upkeep of the Capitol and its grounds.

In addition to restoration of the front steps, completed in 2003, the grant is funding repairs to the bases of three monuments on the east side of the State Capitol grounds: the Monument to Confederate Women, the Monument to Confederate Soldiers and the War of 1812 Memorial.

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This issue of Capitol Report brings you a look at the many accomplishments of my first year as Arkansas Secretary of State. I’m proud of the work we’ve done in just a few months, and I certainly look forward to the challenges that lie ahead, especially in this presidential election year.

As you’ll see in this edition, implementing the Help America Vote Act has been our top priority. Now that Congress has confirmed the Election Assistance Commission, we expect to have a much clearer idea of how to proceed with our state implementation plan, including the amount of funding that will be allocated to Arkansas. The preferential primaries and this fall’s general election will be a test for the reforms made thus far. That’s why we’re stepping up our efforts to educate the general public, especially new voters, on the identification requirements and other changes they might encounter at the polls.

Another area of focus has been enhancing the services we’ve made available on the Internet. My office launched a

(Cont. on Page 2)

501-682-1010



Dates to Note for 2004 Preferential Primary

March 19, County clerks to begin making absentee ballot applications available for the general preferential primary

March 30, 12 noon—Filing period closes for party candidates running for office in the preferential primary election and for nonpartisan judicial candidates paying filing fees

April 19, Deadline to apply to register to vote in the preferential primary and the nonpartisan judicial general election

May 3, Early voting begins

May 18, 7:30 a.m. to 7:30 p.m. — Polls open for Preferential Primary Election and Nonpartisan Judicial General Election

June 8, 7:30 a.m. to 7:30 p.m.—Polls open for General Primary Election (Run-Off)

For a complete 2004 Election Calendar, log on to www.sos.arkansas.gov or call the Elections Division at (501) 682-5070.

(Cont. from front page)

vastly improved corporate franchise tax site that allows corporations to pay their franchise tax online. The Arkansas Register has also increased the information available on the Web, which streamlines the system for filing state agency rules and regulations and makes them easier to access for public review.

Also in this issue, you'll read about our programs for maintaining the integrity of our beautiful State Capitol and its grounds. Grants have funded much of the current work, including repairs to several crumbling monuments and the promenade from Woodlane Street. More remains to be done, most notably cleaning and maintaining the building's exterior; we intend to procure additional grants to offset that cost.

I hope you enjoy the information in this edition of Capitol Report. I welcome your comments and will be glad to provide any additional information you need.

HAVA (Cont. from front page)

Replacing Antiquated Systems

One of the first objectives Arkansas faces is the replacement of outdated punch card and lever voting systems in 13 Arkansas counties. The original deadline for replacing these machines was January 1, 2004, but the delay in establishing the EAC left the states without standards for selecting new systems. Daniels opted to join 24 states in requesting an extension until January 2006, which will give the Secretary of State's office additional time to choose a system that best meets the needs of our state. For now, the only available HAVA-compliant systems are direct recording electronic (DRE) machines.

"We would like to convert some equipment for the November 2004 election, but the technology will be under immense scrutiny," Daniels said. "Whatever format is used to cast a ballot – whether it's punch card, lever or DRE – the 2004 elections will be the test."

Daniels also joined 44 states to request a waiver on establishing a HAVA compliant voter registration list due to the complexities involved with data conversion during a federal election year. The new deadline will be January 2006.

"We don't want to do anything that would jeopardize the county clerks' ability to effectively maintain the voter rolls during the presidential election," Daniels said.

Provisional Ballots and Fail-Safe Voting

One change voters will note in the upcoming primary elections are new identification requirements, especially for first-time voters.

Individuals who registered to vote by mail after January 1, 2003, and did not include a copy of the required identification must present I.D. on their first visit to the polls. Acceptable forms of identification are a valid Arkansas driver's license or photo I.D., a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address. Voters who do not present the required form of I.D. may vote what is called a "Provisional Ballot." The local election commission will then review the Provisional Ballot, determine whether it may be counted, then notify the voter of the result. A Provisional Ballot may also be required in cases where the voter's name does not appear on the precinct voter registration list or if a poll worker challenges an individual vote.

Fail-Safe Voting is being retained as another measure developed to ensure eligible voters are not turned away. It permits registered voters who move to an address within their current precinct to cast a ballot and fill out a change-of-address form. Persons who move to a new address within the county but outside the precinct where they were registered may vote at their new polling site and fill out a change of address form.

Although progress on HAVA implementation has not come as quickly as expected, there are now encouraging signs that Arkansas and other states will be able to put their plans into action at long last. Secretary Daniels and his staff are ready to move forward, and believe the next six months will hold major changes in Arkansas's elections procedures.



Secretary of State Brings Business Services to the Web

Improving interactive website features and streamlining to a paperless era—that's what the Business and Commercial Services division of the Secretary of State's Office has done to improve customer services.

The most recent update allows corporations to truly pay their franchise tax online, utilizing a credit card or check. Before, online franchise tax filings had to be downloaded, then processed by hand. With this new paperless system in place, staff members never handle any paperwork.

The easy-to-use electronic system builds each franchise tax filing according to information provided by the filer. Automatic calculations help eliminate math errors that frequently delay processing. The system then generates e-mail confirmations with copies of each completed filing to the customer.

Companies pay franchise taxes to conduct business in Arkansas based on the amount of outstanding stock of the corporation. Most companies pay the \$50 minimum amount; larger corporations with large shares of stock can owe thousands of dollars in franchise tax payments.

Other updates to the BCS website include:

- a new portal providing customers the ability to file, search, and view all forms and files;
- a customer-friendly database containing all records on file from January 1962, and archived images for all filings;
- the ability to download corporations in good standing and search for fictitious names;
- and a software upgrade which provides itemized daily reports to the Business and Commercial Services staff.

To access the division's website, visit www.sos.arkansas.gov.

Business and Commercial Services Division Heads Toward Victory

Another important change to note is the division's move to a new location, effective February 16. BCS has moved from the former Aegon Building to the new Victory Building next door. The new address physical address is:

Business & Commercial Services
Victory Building, Ste. 250
1401 West Capitol Avenue
Little Rock, AR 72201

The phone number remains unchanged: (501) 682-3409.



The Secretary of
State website
www.sos.arkansas.gov



Looking Back on 2003

After his first year in office as Secretary of State, Charlie Daniels is proud to reflect on the many accomplishments that have laid the groundwork for a thriving term. Most notable among the challenges presented in 2003 were sweeping new election laws with other areas focused on streamlining services for business and restoring the State Capitol and grounds.

Election Law Changes

As the state's chief elections official, Secretary Daniels has been primarily responsible for implementing HAVA. This federally mandated act requires major changes in state election process in response to problems in the 2000 presidential election. This act will require Arkansas to establish a statewide voter registration system and to replace equipment in the 13 counties using punch card and lever voting machines. All of these changes will require a substantial amount of funds and time for implementation, so Arkansas joined 24 states in requesting a waiver implementation until January 2006.

This election year will be the first major test for the new laws, and the Secretary of State's Office will continue working closely with state and county officials to comply with the new mandates.

Preserving the Past

Another important duty of the Secretary of State is maintaining the State Capitol building and surrounding grounds. Numerous steps have been taken to correct the damage that time and weather have inflicted on the historic building. Grant funding has helped refurbish the front steps, and deteriorating bases of several monuments. Staff have also redesigned many of the plant beds, including relocating the iris garden to a



Crews work to refurbish the main entrance steps.

more hospitable location southwest of the building.

Because of security concerns the office also has increased training for the State Capitol Police so that they can better protect the building and its visitors.

Business and Commercial Services

Over the past year, several areas have merged into under one umbrella department to streamline services offered to Arkansas businesses. Corporations, Franchise Tax and UCC have joined other areas to become the Business and Commercial Services Division. The duties of this new department also include processing domestic and foreign incorporation filings; registering notaries public recording trademarks and filings pertaining to secured loans made by commercial financial institutions; processing apostilles; and conducting lien searches.

Although proud of the positive steps achieved thus far, Secretary Daniels and his staff are forging ahead toward even more achievements in 2004 and beyond. "The challenges that we have faced in the previous year have been very rewarding," Secretary Daniels remarked, "and our progress makes us even better prepared to take on the many challenges that lie ahead."

SOS Annual Report

For a complete look at accomplishments for 2004, watch for the Arkansas Secretary of State's annual report available in late April. To request a copy, call (501) 682-1010.



New iris garden

CAPITOL (Cont. from front page)

Upcoming renovations will include the promenade, handicap ramps and stairs at the Woodlane Street entrance. The pylons formerly located at the stairs on Woodlane Street will be relocated in their original positions.

Not only are improvements being made to the outside of the Capitol, but the interior is seeing some

changes, as well. The Secretary of State's Office is funding interior upgrades consisting of repainting around the first floor display cabinets, refurbishing the first floor landings that lead to the basement, adding new lighting to the landings and the basement, replacing the tiles in the basement rotunda, and repairing the existing State Seal in the center of the basement with a more colorful screen-printed emblem.

State Capitol Exhibit Opens “Windows to the Past”

The Arkansas State Capitol honors a milestone for one of the state’s historical agencies with a special exhibit, “Windows to the Past: Thirty-five years of the Arkansas Archeological Survey.”

Continuing through May 15, the exhibit offers selected images and choice artifacts associated with some of the survey’s most significant projects of the last three and one-half decades. These include the clay and log remnants of Caddoan houses, native ceramics, study casts of projectile points and stone tools. Other treasures of historic archeology include a late-19th-century fire-extinguisher “grenade” and a delicate porcelain figurine recovered from an urban “rescue archeology” site in downtown Little Rock.

The survey’s tradition of partnership with other agencies is represented by items excavated at the original site of Arkansas Post, located in the White River National Wildlife Refuge. Samples from the agency’s many publications and educational materials reveal Arkansas’s rich archeological resources and the consistent interest they

have inspired in both professionals and the general public.

Act 39 of the General Assembly of 1967 created a statewide agency charged with forwarding a program of archeological research and discovery. The new organization, which came to be the Arkansas Archeological Survey, was based in the University of Arkansas but maintained research stations at other colleges and universities around the state. Its wide-ranging commission included all aspects of archeological excavation and research, publication, teaching, outreach and “encouragement of public cooperation in the preservation of Arkansas antiquities.” The Survey began on a modest scale, but today it continues its work of preserving the past for the future.

For more information on the Arkansas Archeological Survey, visit their website at www.uark.edu/campus-resources/archinfo/ or call (479) 575-3556.



Capitol Events Celebrate Young Voter’s Month

Arkansas Secretary of State Charlie Daniels, in cooperation with the National Association of Secretaries of State (NASS), celebrated National Young Voter’s Month with a series of events during the week of March 2-5. Secretary Daniels invited high-school students from across the state to attend the voter education event; more than 200 students from nearly 50 schools participated.

Students and their sponsors attended the intensive four-hour voter education program, which included the program, “History of American Suffrage;” a review of voter registration information; mock elections; a discussion of primaries and caucuses; and a review of “How a Bill Becomes a Law.” The day’s events also included a discussion of current issues, a capitol tour and a visit with state constitutional officers.



Reaching young voters is a major initiative of NASS and the Arkansas Secretary of State in response to sagging participation levels among 18 to 25 year-olds. While persons in that age group have a relatively high rate of registering to vote, they have a historically low voter turnout. A NASS survey shows that only 20 percent of the nation’s 20 year-old registered voters actually go to the polls on Election Day. By contrast, 80 percent of the nation’s 80 year-old registrants cast their ballots.

“It is clear that we as chief election officials must do a better job of educating young voters in the process involved in voting,” Daniels said during a recent NASS conference. “We must also take the lead in convincing young voters that their votes count.”

Secretary of State Charlie Daniels (left) leads a discussion with students during Young Voter’s Week at the Capitol



Arkansas Register Web Project

The Arkansas Register, a publication of the Secretary of State's Office, has undergone several major changes due to Act 1478 of 2003. By tripling the content available on the Secretary of State's website, the Register is opening the doors of public policy to the citizens of Arkansas.

The Arkansas Register, available to subscribers since 1977, is a printed listing of state agency rules and regulations, attorney general's opinions, Legislative Audit notices, and Insurance Department orders. The main area of public interest deals with state agency rules and regulations. When an agency implements a new rule or changes an old one, it goes through a rule-making process. After the rule has been finalized, it is published in the Arkansas Register, and under the new law, the full text is now accessible on the website at no charge.

Act 1478 requires the Secretary of State to post on

its website each notice for the adoption, amendment, or repeal of any agency rule as well as all proposed and adopted agency rules. Also, the act requires the Secretary of State to establish a uniform numbering system for rules of state agencies by mid-2005 and for all state agencies to review their rules to comply with the numbering system.

The office has worked with the Information Network of Arkansas (INA) to establish the Arkansas Administrative Rules section of the SOS website, which contains rule notices, proposed rules and emergency rules filed by state agencies. The printed edition of the Arkansas Register will continue to be available by subscription. For more information call (501) 682-3527 or log onto www.sos.arkansas.gov.

Do You Need A Speaker?

If you would like someone to speak to your organization from the Secretary of State's office, please call 501-682-1010. Several presentations are available including such diverse topics as the functions of the Secretary of State's Office, current voter services, a history of the Capitol Building, and the importance of Arkansas's role in the Louisiana Purchase.



4-04

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